



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

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11

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/086,475	07/19/99	PALLAUX	P 093509

ALLEN C TURNER  
TRASK BRITT & ROSSA  
P O BOX 2550  
SALT LAKE CITY UT 84110

HM22/11307

EXAMINER

WILSON, M

ART UNIT	PAPER NUMBER
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1633

12

DATE MAILED:

11/30/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Interview Summary

Application No.  
09/356,575

Applicant(s)

Fallaux et al.

Examiner  
Wilson, Michael C.

Group Art Unit  
1633



All participants (applicant, applicant's representative, PTO personnel):

(1) Wilson, Michael C.

(3)

(2) Allan Turner

(4)

Date of Interview Nov 28, 2000

Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No. If yes, brief description:

Agreement ☐ was reached. ☒ was not reached.

Claim(s) discussed: None

Identification of prior art discussed:  
none

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:  
The specification has sequence listing errors which have been made known to applicant by faxes sent by examiner. The sequences on page 40, lines 23 and 27, in Fig. 15, and on page 52-54 do not have SEQ ID NO:.. In addition, SEQ ID NO:17 as filed in the sequence listing on 11-3-00 has an error. A sequence letter and a notice to comply with sequence requirements have been faxed to applicants to expedite prosecution.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. ☒ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. ☐ Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

WILSON, MICHAEL C.  
PATENT EXAMINER  
ART UNIT 1633

Examiner Note: You must sign and stamp this form unless it is an attachment to a signed Office action.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTY. DOCKET NO.
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Please find below and/or attached an Office communication concerning the above identified application.

Commissioner of Patents and Trademarks

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. **The sequences on page 40, line 23, page 40, line 27, Fig. 15, and pages 52-54 do not have SEQ ID NOs. Page 40, line 23, appears to be SEQ ID NO:19. Page 40, line 27, appears to be SEQ ID NO:20. The sequence in Fig. 15 appears to be SEQ ID NO:17. Applicants must amend the specification to recite the SEQ ID NO: for each sequence. The sequence on pages 52-54 does not appear to have a corresponding SEQ ID NO:.** In addition, SEQ ID NO:17 according to the specification on page 40, line 16, begins "GTACAC...", but SEQ ID NO:17 as filed on 11-3-00 begins "CTACAC..." Applicants must supply a new computer readable form (CRF) and sequence listing that includes the sequence on pages 52-54 and corrects the SEQ ID NO:17. Applicants must file a "Sequence Listing" accompanied by directions to enter the listing into the specification as an amendment. Applicant also must provide statements regarding sameness and new matter with regards to the CRF and the "Sequence Listing."

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Wilson whose telephone number is (703) 305-0120. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Clark, can be reached on (703) 305-4051. The fax phone number for this Group is (703) 308-8724.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-0196.  
Michael C. Wilson

*In addition, page 31, line 26, appears to have an error. Should be DNA?*

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216  
For CRF Submission Help, call (703) 308-4212  
For PatentIn software help, call (703) 308-6856

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**